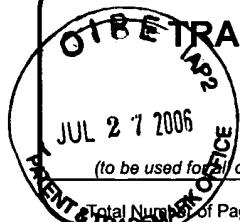


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 <p>TRANSMITTAL FORM</p> <p>JUL 27 2006</p> <p>(to be used for correspondence after initial filing)</p>		Application Number	10/772,642
		Filing Date	February 5, 2004
		First Named Inventor	Stager et al.
		Art Unit	2184
		Examiner Name	Not Yet Known
Total Number of Pages in This Submission	Attorney Docket Number	NET-P01-2289.01	

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTO-1449 and Forty-four References Cited	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund		
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Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	VOLPE AND KOENIG, P.C.		
Signature			
Printed name	Harry Vartanian		
Date	July 25, 2006	Reg. No.	56,787

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Harry Vartanian	Date	July 25, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Stager et al.

Application No.: 10/772,642

Confirmation No.: 5773

Filed: February 5, 2004

For: METHOD AND SYSTEM FOR
RESTORING A VOLUME IN A
CONTINUOUS DATA PROTECTION
SYSTEM

Group: 2184

Examiner: Not Yet Known

Our File: NET-P01-2289.01

Date: July 25, 2006

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56,
Applicants wish to bring to the Examiner's attention the material cited on the enclosed
PTO-1449 form. Copies of the cited documents are enclosed.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Stager et al.

By Harry Vartanian
Harry Vartanian
Registration No. 56,787
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

HV/akg
Enclosures (45)



FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	ATTY. DOCKET NO. NET-P01-2289.01	SERIAL NO. 10/772,642
	APPLICANT Stager et al.	
	FILING DATE February 5, 2004	GROUP 2184

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Alacritus Software's Securitus I: Pointing the Way to Virtual Tape Libraries" Aberdeen Group, Inc., March 2002.
	"Continuous Data Protection: Business Continuity for the Era of Networked Storage: An Executive White Paper" Aberdeen Group, Inc., July 2003.
	"Alacritus Software's Chronospan: Make Time for Continuous Data Protection" Aberdeen Group, Inc., October 2003.
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	"Product Brief: Rhapsody/Alacritus-Securitus/XPath Virtual Tape in the Fabric" The Enterprise Storage Group, August 2002.
	"Alacritus Software Announces Securitus I, The Industry's First Virtual Tape Library Solution: Securitus I Heralds Advent of 'Disruptive Technology' that Serves as Replacement to Tape Libraries" Alacritus Software, Inc., June 25, 2001.
	"Alacritus, Hitachi CP and Nissho Team to Create Virtual Tape Library Appliance: Industry's First Virtual Tape Library Appliance to Replace Storage Tape Libraries" Alacritus Software, Inc., June 25, 2001.
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	Trimmer, Don, "Tape Free Backup/Recovery: Requirements and Advantages: Virtualization Technology Will Encompass Many Applications, One of the Most Significant Possibly Being Backup/Recovery" InfoStor, March 2002.
	"Alacritus Software Announces Virtual Tape Library Support for Legato NetWorker Data Protection Solution" Alacritus Software, Inc., January 8, 2002.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Camphuisen, Alicia, "Hitachi Inks OEM Deal with Legato" Knapp Comm., July 17, 2002.
		"Alacritus Announces Disk-Based Successor to Tape" Knapp Comm., August 21, 2002.
		Biggar, Heidi, "Alacritus Enables Disk-Based Backup" InfoStor, September 2001.
		"Securitus I White Paper: Disk Based Data Protection from Alacritus Software" Alacritus Software, Inc., July 2001.
		"Alacritus Software FAQs" Alacritus Software, Inc., July 2001.
		"Disk-Based Data Protection" Alacritus Software, Inc., July 2001.
		"Virtual Tape Library Technology Brochure" Alacritus Software, Inc., July 2001.
		"Disk-Based Data Protection" Alacritus Software, Inc., September 2001.
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		Payack, Paul JJ, "Alacritus Lines Up OEM Partners for Virtual Tape Library Push" The (451) Storage & Systems, October 4, 2002.
		Payack, Paul JJ, "Alacritus Software Announces Continuous Data Protection with New Chronospan Technology" October 28, 2003.
		Payack, Paul JJ, "Alacritus Software Announces New Customers for Securitus VTLA" Alacritus Software, January 13, 2004.

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
		Baltazar, Henry "Weaving Apps Into SAN Fabric" eWEEK, March 24, 2003.	
		Baltazar, Henry "More Intelligence is on the Way" eWEEK, September 15, 2003.	
		Barrett, Alex "The Case for Network Smarts" Storage Magazine, June 2003.	
		"Securitus White Paper: Disk Based Data Protection from Alacritus Software" Alacritus Website, October 2003.	
		"Manageability: Securitus v. Tape" Alacritus Website, October 2003.	
		"The SNIA Data Management Forum Created to Tackle Data Protection and Information Lifecycle Management Issues: Enhanced Backup Solutions Initiative Rolls Efforts into New SNIA Forum" Storage Networking Industry Association, October 13, 2003.	
		"No Changes Required: Securitus v. Tape" Alacritus Website, October 2003.	
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		"Chronospan" Alacritus Website, October 2003.	
		"Alacritus Software Announces Securitus I, the Industry's First Virtual Tape Library Solution: Securitus I Heralds Advent of 'Disruptive Technology' that Serves as Replacement to Tape Libraries" Alacritus Software, Inc., April 9, 2002.	
		Biggar, Heidi, "Disk and Tape Forge New Partnership in Backup Arena" InfoStor, November 2001.	
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		Preston, W. Curtis, "Surprise! Cheap Disks Cure Slow Backup" Storage Magazine, June 1, 2002.	
		"Alacritus, Hitachi CP and Nissho Team to Create Virtual Tape Library" internetnews.com, June 25, 2001.	
		"Alacritus Software and Rhapsody Networks to Develop Breakthrough Backup Solutions for Storage Networks: Companies to Provide First Network-Intelligent Virtual Tape Solution Resulting in Dramatic ROI, Increases in Data Backup Performance and Scalability" Alacritus Software, July 8, 2002.	
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		"Testimonials" Alacritus Website, October 2003.	
		"Seamless Integration" Alacritus Website, October 2003.	
		"Topologies" Alacritus Website, October 7, 2003.	
		"Securitus" Alacritus Website, October 2003.	
		"Scalability: Securitus v. Tape" Alacritus Website, October 2003.	
		"Strengths: Securitus v. Tape" Alacritus Website, October 2003.	

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